

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

FRIDAY, THE 14TH DECEMBER 2007 / 23RD AGRAHAYANA 1929

WP(C).No. 37110 of 2007(P)

PETITIONER:

H.NISSAM, S/O. HASSAN PILLAI,
LINEMAN GRADE-I, TRANSMISSION, CONSTRUCTION SUB
DIVISION, MOOSHIYAR, PATHANAMTHITTA DISTRICT,
RESIDING AT POLICE QUARTERS C-19, VENJARAMOODU,
THIRUVANANTHAPURAM.

BY ADV. SRI.AYYAPPAN SANKAR
SRI.G.SURARSHAN
SRI.M.ZIYAD
SRI.RAJNEESH M.M.

RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD,
VYDYUTHI BHAVANAM, PATTOM P.O.,
THIRUVANANTHAPURAM-4, REPRESENTED BY ITS
SECRETARY.
2. CHAIRMAN,
KERALA STATE ELECTRICITY BOARD,
VYDYUTHI BHAVANAM, PATTOM P.O.,
THIRUVANANTHAPURAM-4.
3. THE CHIEF ENGINEER (HRM),
KERALA STATE ELECTRICITY BOARD, VYDYUTHI BHAVANAM,
PATTOM P.O., THIRUVANANTHAPURAM-4.
4. THE DEPUTY CHIEF ENGINEER,
TRANSMISSION CIRCLE, VYDYUTHI BHAVANAM,
KOTTARAKKARA.
5. THE ASSISTANT ENGINEER,
TRANSMISSION CONSTRUCTION SUB DIVISION,
MOZHIYAR, PATHANAMTHITTA DISTRICT.

BY SC SRI. A.S. ANIL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 14/12/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

V.GIRI, J

W.P.(C).37110/2007

Dated this the 14th day of December, 2007

JUDGMENT

Petitioner who is presently working as Lineman Grade-I is posted at Mozhiyar in the Kottarakkara Electrical Sub Division. He was earlier transferred from Thiruvananthapuram to Thrissur. He wanted a posting back at Thiruvananthapuram and therefore, he approached this Court. His writ petition was disposed of under Ext.P9 judgment. This Court was not inclined to interfere with the order of transfer, by which she had been transferred to the Generation Circle, Thrissur, from Thiruvananthapuram. But nevertheless the Electricity Board was directed to consider his claim along with the claims of other claimants, if any, and pass appropriate orders in accordance with law. Subsequently petitioner's claim was considered and by Ext.P12 order, petitioner was given a posting in the transmission Circle, Kottarakkara. By this time, disciplinary action had been initiated against the petitioner and one of the reasons seems to be the refusal on the part of the petitioner to take charge in the

transferee station. Subsequent to Ext.P12, petitioner submitted Ext.P13 representation seeking a posting in Thiruvananthapuram Circle. It is followed by Exts.P14 and P16 representations, requiring a transfer from Kottarakkara to Thiruvananthapuram. Petitioner pleads personal difficulties as a reason for seeking a transfer to Thiruvananthapuram where he resides and where his wife is working. Petitioner has approached this Court seeking a direction to the Electircity Board to give a posting in Thiruvananthapuram. He also challenges the disciplinary proceedings initiated against him.

2. Having heard the learned counsel for the petitioner and the learned Standing Counsel for the Electricity Board, writ petition is disposed of directing the first respondent to consider the petitioner's claim for a posting in Thiruvananthapuram sympathetically. Necessary action may be taken on Ext.P14 within a period of two months from the date of receipt of a copy of this judgment. Validity of the disciplinary proceedings

is not being considered herein because it is only at the stage of memo of charges.

**V.GIRI,
Judge**

mrCS